



UNITED STATES BANKRUPTCY COURT  
DISTRICT OF NEW JERSEY

**MARK E. FELGER (MF9985)**  
**JERROLD N. POSLUSNY, JR. (JP7140)**  
**COZEN O'CONNOR**

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Attorneys for the Debtors

In re:

**SHAPES/ARCH HOLDINGS L.L.C., et al.,**

Debtors.

Case No. 08-14631(GMB)

Judge: Gloria M. Burns

Chapter: 11

**ORDER DISALLOWING CONTINGENT CLAIM OF  
INTERNATIONAL FIDELITY INSURANCE CO.**

The relief set forth on the following page, numbered two (2), is hereby **ORDERED**.

**DATED: 1/22/2009**

  
\_\_\_\_\_  
Honorable Gloria M. Burns  
United States Bankruptcy Court Judge

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Shapes/Arch Holdings L.L.C., et al.

Case No. 08-14631 (GMB)

Order Disallowing Contingent Claim of International Fidelity Insurance Co.

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Upon consideration of the above-captioned debtors' (the "Debtors")<sup>1</sup> objection (the "Objection") to the contingent claim of International Fidelity Insurance Co. ("International Fidelity") seeking to disallow the proof of claim, any responses or objections thereto, notice of the Motion appearing appropriate, and for cause shown, it is hereby **ORDERED**:

1. That the Objection is SUSTAINED.
2. That International Fidelity's contingent claim identified as claim no. 461 on the claims register is hereby disallowed in its entirety, subject to being reconsidered pursuant to 11 U.S.C. § 502(j) in the event that International Fidelity sustains an actual loss or losses in connection with any one or more bonds it issued on behalf of any one or more of the Debtors, for which loss or losses International Fidelity is entitled to indemnification from one or more of the Debtors under contractual and/or common law; and
3. That the Debtors' and the Class 10 Liquidating Trustee's rights to file other objections to claims is hereby fully reserved.

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<sup>1</sup> Unless otherwise defined herein, capitalized terms shall have the same meaning ascribed to them in the Objection.

# CERTIFICATE OF NOTICE

District/off: 0312-1  
Case: 08-14631

User: kryan  
Form ID: pdf903

Page 1 of 1  
Total Served: 1

Date Rcvd: Jan 23, 2009

The following entities were served by first class mail on Jan 25, 2009.  
db +Shapes/Arch Holdings L.L.C., 9000 River Road, Delair, NJ 08110-3204

The following entities were served by electronic transmission.  
NONE.

TOTAL: 0

\*\*\*\*\* BYPASSED RECIPIENTS \*\*\*\*\*

NONE.

TOTAL: 0

Addresses marked '+' were corrected by inserting the ZIP or replacing an incorrect ZIP.  
USPS regulations require that automation-compatible mail display the correct ZIP.

I, Joseph Speetjens, declare under the penalty of perjury that I have served the attached document on the above listed entities in the manner shown, and prepared the Certificate of Notice and that it is true and correct to the best of my information and belief.

Meeting of Creditor Notices only (Official Form 9): Pursuant to Fed. R. Bank. P. 2002(a)(1), a notice containing the complete Social Security Number (SSN) of the debtor(s) was furnished to all parties listed. This official court copy contains the redacted SSN as required by the bankruptcy rules and the Judiciary's privacy policies.

Date: Jan 25, 2009

Signature:

